

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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**ELEANOR CAPOGROSSO,**

**Plaintiff,**

**-vs-**

**30 RIVER COURT EAST,  
URBAN RENEWAL CO., et al.,**

**Defendant(s).**

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**Civil Action No. 07-5324 (DMC)**

**ORDER**

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**ELEANOR CAPOGRASSO,**

**Plaintiff,**

**-vs-**

**STATE FARM INSURANCE CO.,**

**Defendant.**

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**Civil Action No. 08-2229 (DMC)**

**THIS MATTER** having come before the Court upon Plaintiff's motion to amend her complaint for a second time to add three defendants and a Racketeer Influenced and Corrupt Organizations Act ("RICO") count [CM/ECF Docket Entry No. 90 in Civil Action No. 08-2229]; and Defendants having opposed the motion; and it appearing that

1. In an October 21, 2009 Opinion, Judge Dennis M. Cavanaugh granted Plaintiff leave to file a second amended complaint not inconsistent with the rulings his Honor made in the Opinion.
2. Plaintiff never filed a second amended complaint.
3. On April 13, 2010, Judge Cavanaugh issued an Order vacating the portion of his October 2009 Order that permitted Plaintiff to file a second amended complaint. In

that same Order, Judge Cavanaugh prohibited Plaintiff from filing a second amended complaint due to the adverse effect that Plaintiff's delay in filing an amended complaint had on the Court's management of its calendar.

4. Just nine days later, Plaintiff filed a motion to amend her complaint for a second time to add three defendants and a RICO count. Plaintiff's motion to file a second amended complaint is a direct violation of Judge Cavanaugh's April 13, 2010 Order prohibiting Plaintiff from filing a second amended complaint.

**IT IS, THEREFORE, on this 3rd day of June, 2010**

**ORDERED** that Plaintiff's motion to amend her complaint for the second time [CM/ECF Docket Entry No. 90 in Civil Action No. 08-2229] is **denied**.

/s/Mark Falk

**MARK FALK**

**United States Magistrate Judge**